



Trowers & Hamblins LLP
The Senate
Southernhay Gardens
Exeter
EX1 1UG

FAO Rory Stracey

Sophie Moeng
Consultation Manager
Network Rail
Fourth Floor
One Victoria Square
Birmingham
B1 1BD

29 April 2019

Ref: OBJ/154

Dear Sir,

I write in response to the objection (ref: OBJ/154) dated 7 September 2018 and Statement of Case dated 22 October 2018 sent on behalf of your clients, Fox Land and Property Limited, in respect of the proposed Network Rail (East West Rail Bicester to Bedford Improvements) Order (the Order). This letter covers specifically matters raised in relation to draft Policy SD13; please note that appended to this letter are: (i) a note detailing Network Rail's position on shared value in respect of Woodley's Farm crossing; (ii) a note addressing the evidential basis of the assessment of Bow Brickhill crossing; and (iii) a note providing an update on planning matters submitted by Network Rail during the Inquiry.

Plan:MK Policy SD13

Draft Policy SD13 was first put forward in the Draft Plan: MK published in October 2017 for formal consultation. The draft policy was subsequently included in the Proposed Submission Plan: MK submitted to the Secretary of State on 29 March 2018 following a 6 week consultation period which took place between 8 November 2017 and 20 December 2017.

Following submission of your client's objection and Statement of Case, in February 2019, the Planning Inspector issued his final report which found that the plan satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended) and meets the criteria for soundness set out in the NPPF, provided the main modifications are included. Plan:MK was subsequently adopted by Milton Keynes Council on 20 March 2019.

Within this adopted plan, draft Policy SD13 was subsequently put forward as Policy SD11. This is outlined below:

- Policy SD11 – South East Milton Keynes Strategic Urban Extension: Land is allocated at South East Milton Keynes for a comprehensive residential-led mixed use development of approximately 3,000 dwellings to meet the needs of Milton Keynes up to 2031 and beyond.

Exclusion from Order Scheme Environmental Statement

The inter-project cumulative impact assessment (CIA) reported within Chapter 15 of the ES (Volume 2i, Project-wide), considered the impacts arising between Phase 2 of East West Rail Western Section (EWR2) and other relevant developments expected to come forward within similar timeframes and fulfilling certain criteria, as understood at the time of undertaking the assessment. The broad scope and methodology of this CIA was first outlined in the Scoping Report (Appendix 1.1, Volume 3 of the ES) submitted to the DfT on 30th June 2015.

The inter-project CIA considered the impacts of EWR2 in the context of the list of reasonably foreseeable future projects (RFFPs). The production of this RFFP list comprised two phases; the RFFP long-list and the RFFP short-list. The methodology for compiling these lists is set out in Section 15.4 of Chapter 15 of the ES (Volume 2i, Project-wide).

The CIA reported within the ES is based on the RFFP short-list as set out in Appendix 15.1, Volume 3 of the ES. Network Rail consulted the EWR Consortium on the RFFP short-list in December 2017 and a further review and update was completed in February 2018, taking EWR Consortium comments into consideration. This included reviewing adopted and emerging Development Plan projects from minerals and waste policy documents; and adding a small number of named development projects at the request of the EWR Consortium. No comments were received requesting the inclusion of draft Policy SD13 from Milton Keynes Council, a member of the EWR Consortium. The RFFP short-list was subsequently fixed in March 2018 and formed the CIA for EWR2 reported within the ES.

As draft Policy SD13 was at an early stage of site consideration it was not included within the RFFP long list formulated in July 2017 for the following reasons:

- Local plan policies were considered where there was ‘planning certainty’. In this situation the policy had yet to be put forward in the Draft Plan: MK published in October 2017.
- There was too little information on the allocations to conduct a meaningful CIA.

It is acknowledged that since the RFFP short-list was fixed, additional developments and policy allocations (including Policy SD11) have and will continue to progress within the planning process to the point that cumulative impact assessment will be required. For such future projects, the responsibility to assess and mitigate potential cumulative effects with EWR2 sits with the developer/applicant. This is outlined in Paras 5.24 and 5.25 of Policy SD11 of the approved Plan:MK, which states that:

“This strategic urban extension is allocated to support the delivery of the development strategy. The site comprises land north and south of the East-West railway line around Woburn Sands, Wavendon and north of Bow Brickhill. The site overall has capacity for around 3,000 dwellings. This area may however also be affected by the proposed Cambridge-Milton Keynes-Oxford Expressway and the East-West Rail proposals which have the potential to reduce the amount of available land for residential use.”

Because the Council wishes to encourage economic growth, prosperity and job creation within the Oxford – Cambridge arc, it will work with developers and relevant infrastructure

providers to determine the timing and phasing of this housing delivery over the plan period, taking into account the ongoing infrastructure planning being undertaken by other agencies in respect of East West Rail and the Oxford to Cambridge Expressway proposals.”

The requirement for the delivery of the South East Strategic Urban Extension to be brought forward via a development framework is set out at Policy SD10, which states:

“DELIVERY OF STRATEGIC URBAN EXTENSIONS

- 1. To ensure that Strategic Urban Extensions are brought forward in a strategic and comprehensive manner, planning permission will only be granted for land within Strategic Urban Extensions, following the approval by the Council of a comprehensive development framework, incorporating any necessary design codes, or phasing of development and infrastructure delivery, including green infrastructure delivery, for the Strategic Urban Extension as a whole.*
- 2. Development frameworks will be produced by the Council in conjunction with and with the support of the developer(s). Development frameworks will also be prepared in partnership with landowners, adjoining local planning authorities, parish or town councils, infrastructure providers, regional and local agencies and services, statutory consultees, the Parks Trust and other stakeholders. Development frameworks will be prepared in consultation with the local community. The Council will adopt development frameworks as supplementary planning documents to guide future planning applications.”*

That such development frameworks must take account of EWR is further reiterated at Para 4.17, which states:

“The spatial delivery of housing supports the desires of the MK2050 Commission report to see future development initially focused on, and adjacent to the existing urban area, whilst also taking account of the potential future opportunities provided by the completion of East-West Rail and the new Cambridge-Milton Keynes-Oxford growth corridor, without prejudicing the delivery of either of these key infrastructure projects.”

This confirms that any future development at this site must take into account EWR2 and be brought forward via a development framework led approach that does not prejudice the delivery of the railway scheme. This is further reinforced by the fact that the allocation and delivery of Policy SD11 is dependent on the benefits of EWR2 and therefore, require the delivery of this project first. Proposed development allocations associated with Policy SD11 would be supported by EWR2, which would make access to these locations via public transport more easily achievable during operation. It is noted that in some areas land may be required from within the Policy SD11 area in order to construct EWR2, which is acknowledged in Para 5.24. Given the overall area of the allocation these land requirements are considered to be modest.

Yours sincerely,



Sophie Moeng

Consultation Manager

For and on behalf of Network Rail

Woodleys Farm Crossing – Shared Value – Network Rail Current Position

This note summarises Network Rail's position regarding the question of the application of its Shared Value Policy in regard to the Woodleys Farm Crossing, and the alternative bridge proposal advocated by Milton Keynes Council and property developers in the area.

The alternative bridge proposal is at a relatively early stage of development and as such the scheme design, planning consent and detailed assessments are not known. With this level of certainty it is not possible to value the scheme and any rights associated with it at this early stage.

MKC has provided confirmation to NR to the effect that it does not believe that the proposals for the regeneration are dependent upon the bridge crossing to be consented and delivered. Based on this information NR does not believe that it currently has a shared value position in respect of the overall scheme. The above having been said, it is possible that the bridge whilst not a requirement for the scheme to be delivered, could nonetheless add some value to the surrounding uses. This value is likely to be of a much lower order and would need to be reasonably capable of being proved. It seems unlikely such value will be of a significant order based on the current scheme we have seen to date and the lack of an absolute need for the bridge as stated by MKC.

As detailed proposals and planning consent information are not available at this stage, NR is not in a position to be definitive about whether such additional value might be created, and if so, at what level of value. NR is happy to agree that all direct benefits to the operational railway funded by the development are factored into any payment that might be due. We are aware of the potential to close one or possibly more level crossings, and the possibility of station improvement works, all of which would fall within the scope of such an assessment. It would only be if an increase in value of the adjacent parts of the development as a result of the availability of the bridge outweighed the benefits to NR that any payment would be appropriate.

NR can confirm that for the avoidance of doubt all reasonable costs would be deducted before any uplift in value (or super-profit) is established. This would include a reasonable developer's profit as well as proper S106 and CIL costs and indeed the costs of the bridge over the railway, to the extent incurred by the property developer.

Where NR is under a pre-existing obligation to construct and pay for an accommodation bridge, the assessment of Shared Value should assume the existence of that bridge as the base position and any Shared Value would be based on the value above that base level for any relocated bridge. NR would not expect to incur any additional costs in relocating the bridge.

NR is happy to commit to the joint appointment of an independent valuer, owing both parties a duty of care to assess firstly whether any uplift in value is reasonably demonstrable and if so whether such value uplift share that might be attributable to NR exceeds the benefit accruing to NR. Only if the value share exceeded the benefits received would any payment be required and only to the extent that the appropriate share exceeded the benefits already received. NR is also happy to consider agreeing a reasonable formula approach to calculation to give all parties reasonable certainty, but enable a detailed assessment when the scheme costs and values are better known and more certain.

The Network Rail (East West Rail Bicester to Bedford Improvements) Order

Technical Note – Public Right of Way Assessment

Network Rail

April 2019

Contents

Section	Page
1. Introduction	1-1
2. Assessment Methodology	2-1
3. Assessment Findings	3-3
3.1 FP008 Bow Brickhill Browns Wood Level Crossing	3-3
3.2 BW014 Pony Level Crossing	3-3
4. Conclusion	4-4

1. Introduction

- 1.1.1 Network Rail Infrastructure Limited (NR) submitted an application on 27 July 2018 for The Network Rail (East West Rail Bicester to Bedford Improvements) Order, under the Transport and Works Act 1992, for construction and operation of Phase 2 of the East West Rail Western Section (EWR2) Scheme; (the Order). This Transport and Works Act Order (TWAo) application was accompanied by an Environmental Statement (ES), in accordance with The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 (the Applications Rules).
- 1.1.2 Fox Land and Developments (OBJ/154) has objected to the Order and raised concerns regarding the assessment of the FL008 Bow Brickhill Browns Wood and BW014 Pony Crossing level crossings in the Traffic and transport chapter of the ES, Volume 2i Chapter 14 which is incorporated in the Proof of Evidence of Tim Colles, Traffic, (inquiry doc: NR134).
- 1.1.3 The concerns raised in the Proof of Evidence of Ivor Beamon are:
- It is of note that the conclusions reached for starting points in relation to FP004 Bow Brickhill that there is no magnitude of change for users and for the Pony crossing BW014 only regarded as being of a low effect. Browns Wood Crossing is indeed not FP004 but FP0089. I do not know with certainty whether a mistake has been made with the annotation or that Browns Wood PRoW has not been assessed.*
- 1.1.4 This Technical Note provides clarification in respect of the assessment undertaken and the conclusions reached.

2. Assessment Methodology

- 2.1.1 The Transport and traffic ES Chapter has been prepared in accordance with the following guidance documents:
- Institute of Environmental Management and Assessment (IEMA) Guidelines for the Environmental Assessment of Road Traffic (1993, IEMA Guidance)
 - Department for Transport, 2008 Design Manual for Roads and Bridges, Volume 11, Section 2, Part 5, HA 205/08 Assessment and Management of Environmental Effects (DMRB)
- 2.1.2 The objective of the chapter in relation to public rights of way (PRoW) is to identify the likely impacts associated with the temporary impact on users of PRoWs which are subject to closure or temporary diversion whilst construction activity is taking place.
- 2.1.3 The sensitivity of the receptor has been determined from Table 14.6 of Chapter 14 of the ES which is reproduced below.

Table 14.6 PRoW sensitivity assessment framework

Receptor sensitivity	Proximity thresholds
High	PRoW is within 500m of an existing school, or particularly sensitive services (these PRoWs are assumed to have a high proportion of vulnerable users)
Medium	PRoW is over 500m from existing school but within 400m of an existing urban area (for the purpose of the assessment urban areas are defined as a cluster of developments such as housing and businesses. They do not include single farm holdings or single isolated units)
Low	PRoW is over 500m from existing schools and over 400m from an existing urban area

- 2.1.4 Proximity thresholds have been used to determine approximate usage of the level crossings.
- 2.1.5 The magnitude of impact has been determined from Table 14.7 of Chapter 14 of the ES which is reproduced below. The magnitude of impact relates to change in journey distance and is not affected by the quantum of pedestrians, equestrians or trains.

Table 14.7 PRoW magnitude of impact

Magnitude of impact	Negligible	Low	Medium	High
Severance	Change in journey distance of less than 30%	Change in journey distance of 30%-60%	Change in journey distance of 60%-90%	No Access
Cyclist/ Equestrian journey	Change in journey distance of less than 60%	Change in journey distance of 60%-75%	Change in journey distance of 75%-100% Significant increase in gradient	Change in journey distance of greater than 100% Significant change in crossing facilities. Steps without any provision for cyclists or equestrian users
Pedestrian journey	Change in journey distance of less than 30%	Change in journey distance of 30%-60%	Change in journey distance of 60%-100% Significant increase in gradient	Change in journey distance of greater than 100% Significant change in crossing facilities.
Vulnerable users journey	Change in journey distance of less than 15%	Change in journey distance of 15%-30% Change in gradient	Change in journey distance of 30%-50% Significant increase in gradient	Change in journey distance of greater than 50%. Significant change in crossing facilities. Steps without any provision for vulnerable users

- 2.1.6 The significance of effect is determined from Table 14.1, reproduced below and is dependant on the sensitivity of the receptor and magnitude of impact.
- 2.1.7 The degree of change therefore relates to changes in journey distance and not the quantum of pedestrians, equestrians or trains.

Table 14.1 Significance of effect categories

		Magnitude of change			
		Negligible	Minor	Moderate	Major
Sensitivity	Very High	Slight	Moderate or large	Large or very large	Very large
	High	Slight	Slight or moderate	Moderate or large	Large or very large
	Medium	Neutral or slight	Slight	Moderate	Moderate or large
	Low	Neutral or slight	Neutral or slight	Slight	Neutral or slight
	Negligible	Neutral	Neutral or slight	Neutral or slight	Slight

3. Assessment Findings

3.1 FP008 Bow Brickhill Browns Wood Level Crossing

- 3.1.1 The Bow Brickhill level crossing footpath is referred to as FP004 in the ES Chapter of the PoE but should be FP004 Bow Brickhill.
- 3.1.2 The sensitivity of the receptor has been determined as Medium as the PRow is over 500m from an existing school but within 400m of an existing urban area (for the purpose of the assessment urban areas are defined as a cluster of developments such as housing and businesses. They do not include single farm holdings or single isolated units).
- 3.1.3 The magnitude of change has been determined as None as there are no proposed changes to journey distance.
- 3.1.4 The resulting significance of effect for Medium receptor sensitivity and Magnitude of change of None is therefore None.

3.2 BW014 Pony Level Crossing

- 3.2.1 The sensitivity of the receptor has been determined as Medium as the PRow is over 500m from an existing school but within 400m of an existing urban area (for the purpose of the assessment urban areas

are defined as a cluster of developments such as housing and businesses. They do not include single farm holdings or single isolated units).

3.2.2 The magnitude of change has been determined as Low due to the potential temporary closure to enable improvements. The presence of equestrian use has been taken into account in determining the magnitude of change.

3.2.3 The resulting significance of effect for Medium receptor sensitivity and Magnitude of change of Low is therefore Slight.

4. Conclusion

4.1.1 The sensitivity of the receptor and magnitude of change have been assessed correctly and therefore the significance of effect is also correct.

4.1.2 The proximity thresholds have been used to determine approximate usage of the level crossings and the magnitude of change is based on changes to journey distance. The degree of change relates to changes in journey distance and not the quantum of pedestrians, equestrians or trains.

4.1.3 The significance of effect has therefore been assessed correctly.

**EWB Alliance
One Victoria Square
Paradise Street
Birmingham
B1 1BD**

EAST WEST RAIL 2 INQUIRY
**PROPOSED NETWORK RAIL (EAST WEST RAIL BICESTER TO BEDFORD
IMPROVEMENTS) ORDER**

UPDATE ON PLANNING MATTERS

1. This note provides:
 - a. A clarification as to the latest version of the Connecting Oxfordshire: Local Transport Plan 2015-2031;
 - b. An update on the current status of the emerging Local Plans referred to by Network Rail in the evidence of Ms Stephenson; and
 - c. An update on the current status of the advanced planning applications due to be submitted in relation to construction compounds and Woburn Sands School Lane Footbridge

CONNECTING OXFORDSHIRE: LOCAL TRANSPORT PLAN 2015-2031

2. The Connecting Oxfordshire: Local Transport Plan 2015-2031 (the Local Transport Plan) was first agreed by the full Oxfordshire County Council in September 2015 following public consultation on the draft Plan earlier that year.
3. The Local Transport Plan was subsequently updated by Oxfordshire County Council in 2016 in order to strengthen the emphasis on improving air quality and making better provision for walking and cycling. Network Rail can confirm that the updated version is one of the Supporting Documents to the Proof of Evidence of Jill Stephenson and is document NR69. It can be found at tab 8 of the folders of those Supporting Documents. The Plan was unchanged in relation to its support for the EWR2 scheme which can be found at paragraphs 5 and 109 of the 2016 document, as well as Policy 9.

UPDATES ON EMERGING LOCAL PLANS

4. The planning evidence of Network Rail makes reference to emerging local plans. The status of these is as follows.
5. Vale of Aylesbury Local Plan – the submission draft (NR72) is included at tab 11 in the folders of the Supporting Documents to the Proof of Evidence of Jill Stephenson. The hearing on this Local Plan took place in July 2018. The Inspector for that hearing has provided his interim findings which set out modifications which are still being finalised. There is currently no timetable in place for consultation on the proposed modifications. None of the modifications alter the strategic policy support for the EWR2 Scheme, nor its importance in relation to sustainable site allocations.
6. Milton Keynes Local Plan (Plan:MK) – the submission version of this document (NR27) is included at tab 27 in the folders of Supporting Documents to the Proof of Evidence of Jill Stephenson. The Inspector's Report on the examination of Plan:MK was published on 12 February 2019 which found that the plan satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended) and meets the criteria

for soundness set out in the NPPF, provided the main modifications were included. Plan:MK was subsequently adopted by the Council in March 2019.

7. The Inspector's Report at Paragraphs 87, 88 and 95 (**pages 20-22, at Appendix 1 to this note**) concluded that EWR2 is not an insurmountable barrier to the delivery of the SEMK strategic growth site. Additionally, a recommended modification set out within the Main Modifications document (dated February 2019) at MM15 (**page 15, at Appendix 2 to this note**) required that Policy SD13 (now renumbered SD11) be amended such that the delivery of the South East Milton Keynes Urban Extension growth area should make provision for grade separated crossings of the railway to be provided or retained as appropriate, and that the number, location and purpose of any such crossings be set out within the Development Framework. This development framework must then be approved by the LPA before any planning permissions relating to the South East Milton Keynes Urban Extension development can be permitted.
8. Within the adopted Plan:MK, draft policy SD13 (South East Milton Keynes Urban Extension) has been renumbered as policy SD11. Policy SD11 (**page 59, at Appendix 3 to this note**) has been modified to acknowledge that the allocated site may be affected by the proposed Cambridge-Milton Keynes-Oxford Expressway and the East-West Rail proposals and that these schemes have the potential to reduce the amount of land available for residential use (paragraphs 5.24, 5.25, **page 56, at Appendix 3 to this note**). Access to the site, including the purpose of any bridge crossing(s) is set out at paragraph 5.27 (**page 57, at Appendix 3 to this note**).
9. Further, policy SD10 (**page 56, at Appendix 3 to this note**) requires that the South East Milton Keynes Urban Extension will be brought forward via a development framework, which must ensure that development is brought forward without prejudicing the delivery of EWR (paragraph 4.17, **page 15, at Appendix 3 to this note**).
10. MK Site Allocations Plan – the adopted Site Allocations Plan (NR79) has been provided at tab 18 in the folders of the Supporting Documents to the Proof of Evidence of Jill Stephenson. The Inspectors' report on this Plan was published in June 2018. The Site Allocations Plan was found to be sound so long as it incorporated the main modifications recommended. The adopted version is dated July 2018. Again, none of the modifications altered the strategic policy support for the EWR2 Scheme, or its importance in relation to sustainable site allocations.
11. Central Bedfordshire Local Plan –The pre-submission version of this document (NR84) is included at tab 23 in the folders of the Supporting Documents to the Proof of Evidence of Jill Stephenson. The public hearings on this document are due to commence on 21May 2019.
12. Bedford Local Plan – The pre-submission version of this document (NR89) is included at tab 28 in the folders of Supporting Documents to the Proof of Evidence of Jill Stephenson. The Plan was submitted to the Inspectorate in December 2018, and hearing sessions are due to open on 29 May 2019.

UPDATE ON ADVANCED PLANNING APPLICATIONS FOR COMPOUNDS

13. As discussed in Ms Stephenson's evidence there are 12 planning applications for 11 compound sites which Network Rail either has already submitted or intends to submit prior to any decision on the Order being made. The Inspector requested an update as to the current position of these early applications.
14. The planning application for compound C1, for which the Local Planning Authority is Milton Keynes Council, has already been approved.

15. The planning application for compound A2, for which the Local Planning Authority is Cherwell District Council, was approved on 11th March 2019.
16. Planning applications for compounds A1 (Cherwell District Council) A3, A4, B1, B2, B3, B4, B5 (Aylesbury Vale District Council) and B6 (Aylesbury Vale District Council and Milton Keynes Council), have been submitted and are pending determination. Compound B6 falls within the boundaries of two Local Planning Authorities, so for this compound two separate planning applications have been submitted.

UPDATE ON ADVANCED PLANNING APPLICATION FOR STEPPED FOOTBRIDGE AT WOBURN SANDS SCHOOL CROSSING

17. A planning application (Ref: 19/00605/FUL) has been submitted to Milton Keynes Council seeking permission to build a stepped footbridge over the railway at School Lane level crossing, Woburn Sands, including improvements to the alternative, at grade, crossing route. The application has a target determination date of 6 May 2019.

26 April 2019

APPENDIX 1

Report to Milton Keynes Council

by **David Spencer BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Date 12 Feb 2019

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of Plan:MK

The Plan was submitted for examination on 29 March 2018

The examination hearings were held between 10 - 20 July 2018 and 29 - 30 August 2018

File Ref: PINS/Y0435/429/10

Conclusions on Future Jobs and Employment Land Supply

84. The future jobs numbers and assessment of employment land supply are robust. The focus on CMK, existing employment sites and strategic additional provision at first South Caldecotte and then MKE is justified and would be effective in enabling the local economy to grow and develop in line with local, SEMLEP and wider caMKox ambitions appropriate to the Plan period. The Plan is also positively prepared by enabling a new university campus (MK:U), reallocating employment land which is no longer fit for purpose and supporting technology and working environments likely to boost productivity.

MATTER 4: Strategic Sites

Issue 7 – Whether the strategic sites will deliver sustainable development to meet identified needs?

Introduction and approach to site selection

85. Drawing on sources such as the SHLAA and ELS evidence, I am satisfied that the SA presents an appropriate rationale as to why only a focused pool of sites progressed to detailed assessment. Overall, I find the judgements in the SA to be reasonable and the strategic site selection process to be soundly based.
86. Whilst there are individual policies for each proposed strategic site allocation addressing site specific matters, it is important not to lose sight that Policy SD1 provides over-arching place-making principles and Policies SD11 and SD12 provide further principles on planning for sustainable urban extensions. Policy SD1 requires further clarity and comprehension including enhanced references to consideration of the effects on the historic environment, biodiversity and green infrastructure and ensuring highway infrastructure reflects the Council's latest Mobility Strategy. **MM11** would introduce these clarifications and I recommend it for Plan effectiveness.

South East Milton Keynes (SEMK)

The Principle of SEMK as a strategic urban extension

87. The proposed urban extension at SEMK for 3,000 homes would form part of a logical consolidation of the south-easterly expansion of Milton Keynes. The judgements applied in both the SHLAA and the SA as they relate to this area have been demonstrated to be reasonable. The proposals at SEMK would be very well aligned to the developing spatial pattern of east-west growth to the south of the City.
88. A particular consideration with the proposed SEMK is whether the proposed EWR and Expressway give rise to uncertainties over its deliverability. SEMK would be well-connected to Woburn Sands for EWR and Bow Brickhill for local services. Whilst frequency of services along the Bletchley to Bedford

line would increase, there is no evidence before me that noise cannot be adequately mitigated or the proposed bridge crossing within the site cannot be delivered. On this basis EWR would not be an insurmountable barrier to delivering the site and creating a new cohesive community. SEMK represents the only urban extension option that can locate new housing directly adjacent to existing rail stations, a particularly positive factor that supports its allocation.

89. The 'Oxford to Cambridge Expressway Strategic Study Stage 3 Report' identified 3 potential corridors within which a road route could be accommodated. The precise alignment of the route remains to be announced by Highways England and that should become clearer with a preferred route announcement in 2020. There is very little in the available preliminary technical evidence or within the signed MoU with Highways England that Plan:MK should preclude land from being allocated within the broad route corridors. Initial work demonstrates that the land area identified for allocation can accommodate the land-take necessary for an Expressway as well as 3,000 homes and associated infrastructure.
90. In respect of the Expressway, submitted Policy SD13 inhibited the grant of planning permission at SEMK until 2019/20. In light of the latest evidence and the likely timetable for the Expressway such an approach would not be justified or effective and the prescriptive date should be removed. It nonetheless remains necessary to clarify in Policy SD13, that to secure the coherent, comprehensive development of the site the timing of the grant of planning permission for housing and associated uses would be contingent on the alignment of the Expressway being established. **MM15** would make the necessary changes to the first part of Policy SD13 and I recommend them for soundness.
91. Turning to other matters on the principle of SEMK, I note there are no objections from neighbouring authorities, recognising the need to continue cross-boundary dialogue on matters such as the local road network in Woburn Sands and Aspley Guise. There is local concern that SEMK would result in the harmful coalescence of the City with Wavendon, Woburn Sands and Bow Brickhill. These communities are currently only modestly separated from the existing edge of Milton Keynes such that the proposed allocation will inevitably result in development in close proximity to them. There are few options to expand and grow Milton Keynes that would not result in the City extending closer to surrounding settlements. In the case of SEMK the harm would be mitigated by proposed scale of strategic green buffers and landscaping. Policy SD13 could be more effective in this regard and I recommend the clarity on this point to criterion 3 in Part B of the policy in **MM15**.

Environment and Heritage at SEMK

92. The proposed allocation is relatively free of environmental constraints. It does contain BMV agricultural land but this is not unique to SEMK and the SA robustly demonstrates that wider public benefits would outweigh the harm. This could be mitigated further by aligning green infrastructure to BMV land. There is no evidence that SEMK would adversely affect the

nearby Greensand Ridge Nature Improvement Area. Initially, SEMK would be visible from footpaths that criss-cross the Greensand Ridge, but over time, with strategic landscaping in place there is no reason why SEMK would not successfully assimilate into the wider 'city within the trees' character. Nonetheless, Policy SD13 should make specific reference to mitigate any harm to the wider landscape character in the Brickhills area and I recommend this part of **MM15** for effectiveness.

93. There are various heritage assets in the locality, notably the scheduled monument of Danesborough hill fort on the Greensand Ridge and listed churches. Given the topography, the intervening distances, the scant inter-visibility and lack of persuasive evidence that the site is integrally part of the setting of these heritage assets, there would be no harm to their heritage significance. The site is likely to have some potential archaeological value and as such an additional criterion to Policy SD13 would secure an appropriate level of study in line with paragraph 128 of the NPPF and I recommend its inclusion as part of **MM15** for effectiveness.

Connectivity and infrastructure of SEMK

94. The site would be well connected by rail and would support existing bus services and extend routes through the site. Local services and facilities in Woburn Sands and southern parts of Milton Keynes (including Old Farm Park) would be within walking and cycling distance. The scale of the allocation would support further local service provision within walking and cycling catchments. Critically, the site is well-related to the existing employment estate at Tilbrook, Caldecotte Lake Business Park and the proposed South Caldecotte employment allocation.
95. Principal connectivity via the existing local highway grid network would be away from Woburn Sands and Bow Brickhill such that there is little to support the submissions that the local highway network would be adversely affected. In terms of securing appropriate connectivity in the southern part of the site, the railway line would need to be safely crossed. From the evidence to the examination there are no insurmountable reasons why such connections cannot be secured. I accept that EWR would have a bearing on this and consequently it would be premature for Plan:MK to provide precision on how and where the railway would be crossed, however, as submitted Plan:MK remains opaque on this important site specific matter and therefore not effective. I recommend the additional description proposed in **MM15**, including that the matter is appropriately resolved through the required development framework.
96. Critically, the site presents an opportunity to secure additional school provision not only to serve the allocation but in respect of secondary education for a wider catchment to the south of the city. The delivery of a new secondary school in this part of the Borough further justifies the proposed allocation. As submitted the Plan is silent on the required education infrastructure. To add necessary specificity and make the Plan effective and consistent with national policy, **MM15** would introduce the required level of education provision at a new criterion in Part B of Policy SD13 and I recommend the modification accordingly.

APPENDIX 2

Milton Keynes Council

Plan:MK

Schedule of Proposed Main Modifications

February 2019

MM15	50	SD13	<p><u>A.</u> Land is allocated at South East Milton Keynes – as shown on the Key Diagram and Policies Map – for a comprehensive residential-led mixed use development of approximately 3,000 dwellings to meet the needs of Milton Keynes up to 2031 and beyond. <u>If the chosen corridor for the Oxford Cambridge Expressway (OCE) maintains the possibility that the OCE could be routed through the site, then</u> planning permission for housing and associated uses will not be permitted until 2019/20, once the detailed alignment of the Cambridge-Milton Keynes-Oxford-Expressway-OCE is known.</p> <p><u>B.</u> In addition to the requirements set out in other policies within this plan, including policies INF1, SD1, SD11 and SD12, development of the site will be required to:</p> <ol style="list-style-type: none"> <u>1. Provide schools to accommodate seven forms of entry for secondary education and 6 forms of entry for primary education, as well as necessary nursery and early years provision. Schools should be capable of dual use as community facilities.</u> <u>2. Ensure development will be is well connected and integrated with the established MK grid squares to its north and west adjacent grid squares, public transport services and the strategic and local highway grid network in line with the Council's Mobility Strategy. Provision of grade separated crossings of the railway should be provided or retained as appropriate to ensure connectivity of the southern areas of the site with the remainder of the site and the city to the north in line with policies CT1-CT3 and CT5. The number, location and purpose of any such crossings will be set out within the Development Framework.</u> <u>3. The urban extension will incorporate buffer areas, structural landscaping and strategic green infrastructure within the site to prevent coalescence with Woburn Sands and Bow Brickhill, respect and reinforce the distinct character of the surrounding settlements of Wavendon, Woburn Sands and Bow Brickhill through providing new or reinforced green buffers, thereby protecting existing settlement character, ensure ecological connectivity, and mitigate any harm caused to the Brickhills area and wider landscape character.</u> <u>4. Be informed by an archaeological field study, including a Geophysical Survey, to identify potential below ground archaeology. Where feasible, the Council will expect below ground archaeology to be kept in situ in preference to its removal.</u> <u>5. A site to accommodate 7 pitches for Gypsies and Travellers shall be provided as part of this development.</u> <p><u>C.</u> The development will be brought forward in line with all relevant policies in Plan:MK, particularly Policy SD1, SD11, SD12, NE1-7 and INF1. A comprehensive development framework for the site will be prepared in accordance with policies SD1, SD11, SD12 and INF1 and approved by the Council prior to planning applications being submitted <u>permissions being granted.</u></p>
------	----	------	--

APPENDIX 3

Plan:MK 2016 - 2031

Adopted March 2019



www.milton-keynes.gov.uk/planning-and-building/planning-policy

4.15 To deliver the 5,612 additional dwellings and a buffer, Plan:MK adopts a spatial delivery strategy which seeks to focus housing development within, or adjacent to, the existing urban area of Milton Keynes.

4.16 Whilst a range of potential growth options were assessed during the preparation of Plan:MK, the majority of which were also consulted on as part of the Strategic Development Directions Consultation (2016) and the Draft Plan:MK Consultation (2017), the number of dwellings which could be delivered within the existing urban area, as evidenced within the updated SHLAA (2017), provided the starting point for providing the housing needed. Whilst sites within the existing urban area, identified by the SHLAA, and the continuation of a windfall allowance across the plan period can provide a significant number of dwellings, this is not sufficient to meet either the OAN or the required land supply buffer necessary to make Plan:MK an effective plan. To provide the additionally required dwellings, Plan:MK has allocated a site to the south-east of the existing urban area and a further site, subject to the funding and delivery of necessary strategic infrastructure, to the East of the M1 Motorway.

4.17 The spatial delivery of housing supports the desires of the MK2050 Commission report to see future development initially focused on, and adjacent to the existing urban area, whilst also taking account of the potential future opportunities provided by the completion of East-West Rail and the new Cambridge-Milton Keynes-Oxford growth corridor, without prejudicing the delivery of either of these key infrastructure projects. Furthermore, the provision of some smaller to medium sized sites within the existing urban area provides further flexibility in the housing supply and reduces the need to rely on the delivery of large strategic sites in the earlier years of the plan period.

4.18 The spatial delivery of housing development will therefore be predominantly focused on the following areas of growth outlined below.

4.19 Strategic Developments Within the Existing Urban Area: This will see the completion of all existing city grid squares, the Eastern and Western Expansion Areas and the Strategic Land Allocation.

4.20 CMK: Central Milton Keynes and Campbell Park residential area will now see the delivery of some 3,535 dwellings on sites identified via the SHLAA (2017). These are in addition to the approximate 1,025 dwellings which are already committed. (Committed sites are outlined within Appendix A and new allocated sites are listed in Policy DS2).

4.21 Land at Eaton Leys: Land at Eaton Leys is allocated and has outline permission for a primarily residential development of up to 600 dwellings and associated facilities, including a local centre, a health centre, land reserved for a 1 form entry primary school, associated highways infrastructure, multi-functional public open space, children's play space, surface water attenuation and strategic green infrastructure.

4.22 South East Milton Keynes: Plan:MK recognises the available and deliverable land to the south-east of the existing urban area around the settlements of Wavendon, Woburn Sands and Bow Brickhill and the development opportunities that this provides.

4.23 However, this area is also likely to be affected by the National Infrastructure Commission work on the proposed Cambridge-Milton Keynes-Oxford Expressway and the East-West Rail proposals, the land requirements for which are not yet finalised.

5 . Strategic Site Allocations

- vii. Planning obligations relating to the phasing of development and the provision of on-site and off-site infrastructure and facilities, to include land, capital and initial running costs.
- viii. The monitoring of biodiversity or green infrastructure improvement should be delivered in accordance with the relevant Development Brief.

Policy SD10

DELIVERY OF STRATEGIC URBAN EXTENSIONS

- A. To ensure that Strategic Urban Extensions are brought forward in a strategic and comprehensive manner, planning permission will only be granted for land within Strategic Urban Extensions, following the approval by the Council of a comprehensive development framework, incorporating any necessary design codes, or phasing of development and infrastructure delivery, including green infrastructure delivery, for the Strategic Urban Extension as a whole.
- B. Development frameworks will be produced by the Council in conjunction with and with the support of the developer(s). Development frameworks will also be prepared in partnership with landowners, adjoining local planning authorities, parish or town councils, infrastructure providers, regional and local agencies and services, statutory consultees, the Parks Trust and other stakeholders. Development frameworks will be prepared in consultation with the local community. The Council will adopt development frameworks as supplementary planning documents to guide future planning applications.

South East Milton Keynes Strategic Urban Extension

5.24 This strategic urban extension is allocated to support the delivery of the development strategy. The site comprises land north and south of the East-West railway line around Woburn Sands, Wavendon and north of Bow Brickhill. The site overall has capacity for around 3,000 dwellings. This area may however also be affected by the proposed Cambridge-Milton Keynes-Oxford Expressway and the East-West Rail proposals which have the potential to reduce the amount of available land for residential use.

5.25 Because the Council wishes to encourage economic growth, prosperity and job creation within the Oxford - Cambridge arc, it will work with developers and relevant infrastructure providers to determine the timing and phasing of this housing delivery over the plan period, taking into account the ongoing infrastructure planning being undertaken by other agencies in respect of East West Rail and the Oxford to Cambridge Expressway proposals.

5 . Strategic Site Allocations

5.26 South East Milton Keynes strategic urban extension benefits from being in close proximity to the Marston Vale Rail Line with services from Woburn Sands and Bow Brickhill into Bletchley and Central Milton Keynes (via Bletchley), as well as Bedford. The Marston Vale Rail Line will itself become part of the East West Rail Line connecting Oxford to Cambridge and as such will benefit from new services to these and other regional centres within the wider Oxford-Cambridge Arc. The Council, with the support of the National Infrastructure Commission, has also developed a Strategy for First Last Mile Travel, to ensure Milton Keynes has good connectivity with nationally significant infrastructures projects such as East West Rail and Oxford to Cambridge Expressway, with improving the connectivity between Bletchley and Central Milton Keynes an important strand within the strategy the Council is proactively working towards. The Council will work with the town/parish councils of Woburn Sands, Wavendon and Bow Brickhill and developers and infrastructure providers to prepare a development framework which maximises the opportunities for sustainable travel that both the existing and planned services will provide.

5.27 A comprehensive transport strategy shall be established through the development Framework process, informed by transport modelling and stakeholder engagement undertaken by the Council, to ensure that appropriate access to and from site, and connectivity of the southern areas of the site across the railway, is achieved in line with other policies within the plan and the aims and objectives of the Council's Mobility Strategy. Bridge crossing(s) of the railway will be required to meet place making and connectivity objectives and requirements of the Plan, and potentially to provide strategic highway solutions to manage strategic flows of traffic around the south east of Milton Keynes. The purpose of any bridge crossing(s) (for example for highway, public transport, pedestrian and / or cyclist routes) will be set out within the development framework as informed by further detailed transport modelling and stakeholder engagement. The development framework will also set out what other strategic and local highway connections and improvements should be provided and how these will be delivered, including between the A421, H10, A5, V10 and V11.

5.28 The development framework process will also be used to establish the appropriate location for the Gypsy and Traveller site; define the location and size of primary and secondary schools to meet the educational needs arising from the development; provide a development layout and use buffers and structural landscaping that avoids coalescence and significant inter-visibility of the site with the villages of Woburn Sands and Bow Brickhill; show how impacts on the lowland meadow priority habitat will be avoided and mitigated in line with Policy NE2; and show the provision of green infrastructure, community facilities, recreation and open space and other amenities, services and infrastructure in line with other relevant policies within the Development Plan.

Policy SD11

SOUTH EAST MILTON KEYNES STRATEGIC URBAN EXTENSION

- A. Land is allocated at South East Milton Keynes - as shown on the Key Diagram and Policies Map - for a comprehensive residential-led mixed use development of approximately 3,000 dwellings to meet the needs of Milton Keynes up to 2031 and beyond. If the chosen corridor for the Oxford Cambridge Expressway (OCE) maintains the possibility that the OCE could be routed through the site, then planning permission for housing and associated uses will not be permitted until the detailed alignment of the OCE is known.
- B. In addition to the requirements set out in other policies within this plan, including Policies INF1, SD1, SD9 and SD10, development of the site will be required to:
 - 1. Provide schools to accommodate seven forms of entry for secondary education and 6 forms of entry for primary education, as well as necessary nursery and early years provision. Schools should be capable of dual use as community facilities.
 - 2. Ensure development is well connected and integrated with adjacent grid squares, public transport services and the strategic and local highway grid network in line with the Council's Mobility Strategy. Provision of grade separated crossings of the railway should be provided or retained as appropriate to ensure connectivity of the southern areas of the site with the remainder of the site and the city to the north in line with policies CT1-CT3 and CT5. The number, location and purpose of any such crossings will be set out within the development framework.
 - 3. Incorporate buffer areas, structural landscaping and strategic green infrastructure within the site to prevent coalescence with Woburn Sands and Bow Brickhill, respect and reinforce the distinct character of Wavendon, Woburn Sands and Bow Brickhill, ensure ecological connectivity, and mitigate any harm caused to the Brickhills area and wider landscape character.
 - 4. Be informed by an archaeological field study, including a Geophysical Survey, to identify potential below ground archaeology. Where feasible, the Council will expect below ground archaeology to be kept in situ in preference to its removal.
 - 5. A site to accommodate 7 pitches for Gypsies and Travellers shall be provided as part of this development.
- C. The development will be brought forward in line with all relevant policies in Plan:MK, particularly Policy SD1, SD9, SD10, NE1-7 and INF1. A comprehensive development framework for the site will be prepared in accordance with policies SD1, SD9, SD10 and INF1 and approved by the Council prior to planning permissions being granted.